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NOTIFICATION.

No. L. D. 2025—Legis. 5-50-17, Bangalore, dated 5th October 1950.

Ordered that the accompanying Notification No. F. 10/49—F. C. J., dated the 19th August 1950, amending the Supreme Court Rules, 1950 published in the *Gazette of India*, Part I, Section I, dated the 21st August 1950, be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

B. S. PUTTASWAMY,
Legal Remembrancer and Secretary to Government, Law Department.

SUPREME COURT OF INDIA

NOTIFICATION.

New Delhi, the 19th August 1950.

No. F. 10/49-F.C.J.—The following is published for general information :—

The Supreme Court of India, in the exercise of its rule-making powers, and with the rpproval of the President, hereby makes the following amendments to the Supreme Court Rules, 1950 :—

Add the following at the end of Order XLV, Part IX :—

"PART X

ORDER XLVI

Appeals and other proceedings transferred under clause (4) of article 374 of the Constitution.

1. Notwithstanding anything contained in the preceding Orders, the Rules contained in this Order shall apply to all appeals and other proceedings which stand transferred to the Supreme Court from the Judicial Committee of Hyderabad under clause (4) of article 374 and which are heard at Hyderabad.

2. (1) The Chief Justice may from time to time nominate two or more Judges to constitute a Division Bench to perform the duties assigned by these Rules to a Division Bench and nominate one of the Judges of the Court sitting at Hyderabad to perform the duties assigned to a single Judge or a Chamber Judge under these Rules.

(2) The sittings of the Division Bench and of the single Judge and a Chamber Judge shall be held at such place at Hyderabad as the Chief Justice may, from time to time, direct.

3. A single Judge sitting in Court shall have power to dispose of all pending applications ; and a Judge in Chambers may deal with all interlocutory applications :

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Provided that he may in his discretion adjourn any particular matter to the Division Court.

4. Notwithstanding any orders previously made in the course of the proceedings before the Judicial Committee of Hyderabad, every appeal pending before the Court sitting at Hyderabad shall be heard by a Division Bench consisting of not less than two Judges.

5. The Court sitting at Hyderabad shall have power to direct the hearing of any particular appeal or proceeding before it by the Court sitting at Delhi; and in the event of such a direction being given, the rules contained in the preceding Orders shall be applicable to such proceedings in their further stages, to the exclusion of the Provisions in this Order.

6. Notwithstanding anything contained in these Rules, including those in this Order, the Court sitting at Hyderabed shall have the power to give such directions and make such orders in procedural matters as may be necessary for the ends of justice or to prevent abuse of the process of the Court, in respect of the appeals and proceedings dealt with by it at Hyderabad.

7. The Court sitting at Hyderabad may permit the use of the Urdu language to such extent as it thinks fit in respect of proceedings or appeals pending before it:

Provided that the Judgments delivered, Decrees passed or Orders made by it shall be in the English language.

8. The Chief Justice shall determine the terms during which the Division Court is to sit at Hyderabad; and shall also fix the vacation for the Court sitting at Hyderabad:

Provided that the total period of vacation shall not exceed the period covered under rule 4 of Order II in Part I of these Rules.

9. The duties assigned to, and the powers exercisable by, the Registrar under the Rules of the Supreme Court, shall respectively be discharged and exercised in respect of all proceedings before the Court sitting at Hyderabad by the Deputy Registrar at Hyderabad.

10. The Deputy Registrar shall be the Taxing Officer of the Court sitting at Hyderabad; and in the Taxation of costs he shall generally be guided by the practice followed by the Judicial Committee of Hyderabad, unless the Court in disposing of a matter has ordered the payment of a lumpsum for costs.

11. Appeals and applications pending before the Court sitting at Hyderabad may be proceeded with at Hyderabad either by the party in person or, subject to the next succeeding rule, by a legal practitioner; the engagement of an Agent is dispensed with and a Senior Advocate may appear and plead without a Junior in respect of all such matters heard at Hyderabad.

12. The following classes of legal practitioners will be entitled to act or appear and plead before the Court sitting at Hyderabad:—

(a) Advocates who have been duly enrolled as Senior or other Advocates of the Supreme Court;

(b) In Criminal matters, legal practitioners who filed in the Registry of the Judicial Committee of Hyderabad their *Vakalatnama* before the 26th January 1950;

(c) Legal practitioners of the High Court of Hyderabad of not less than 10 years, standing who are specially permitted to do so by the Court sitting at Hyderabad on payment of a fee of Rs. 50.

13. It will not be obligatory for the parties to lodge in the said pending appeals a Statement of the case as provided in Rule 1 of Order XVIII, Part II, of these Rules.

14. In those civil cases in which the record has not so far been printed, the printing of the record, unless otherwise ordered by the Court, may be effected in accordance with the procedure previously obtaining in the Judicial Committee of Hyderabad. The record need not be printed in criminal cases, unless the Court otherwise directs".

By order of the Court,

P. N. MURTY,

Registrar, Supreme Court of India.

NOTIFICATION.

No. L.D. 2031—Legis. 3-50-54, Bangalore, dated 5th October 1950.

Ordered that the following Notification No. S. R. O. 178 and 179, dated 19th August 1950, amending the Government Premises (Eviction) Rules, 1950, and Territorial Army Rules, 1948, respectively published in the *Gazette of India*, Part II, Section 4, dated the 19th August 1950, be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

B. S. PUTTASWAMY,

Legal Remembrancer and
Secretary to Government,
Law Department.

PART II—Section 4.

Statutory Rules and Orders issued by the Ministry of Defence.

MINISTRY OF DEFENCE.

New Delhi, the 19th August 1950.

S.R.O. 178.—In exercise of the powers conferred by Section 10 of the Government Premises (Eviction) Act, 1950 (XXVII of 1950), the Central Government is pleased to direct that the following amendment shall be made in the Government Premises (Eviction) Rules, 1950, namely :—

For sub-rule (1) of rule 6 of the said Rules, the following sub-rule shall be substituted, namely :—

"(1) An appeal under Section 5 of the Act shall be addressed to the Secretary to the Government of India in the Ministry of Defence provided that where the appeal is against an order made by the Postmaster-General, Bombay or the Postmaster-General, Calcutta as the competent authority, the appeal shall be addressed to the Secretary to the Government of India in the Ministry of Communications."

S.R. O.179.—In exercise of the powers conferred by Section 14 of the Territorial Army Act, 1948 (LVI of 1948), the Central Government is pleased to direct that the following amendments shall be made in the Territorial Army Rules, 1948, namely :—

In form II of Schedule I to the said Rules—(1) For the 'Form of Oath' and the 'Form of Affirmation' the following 'Form of Oath' and 'Form of Affirmation' shall be substituted, namely :—

FORM OF OATH.

I do swear in the name of God that I will bear true faith and allegiance to the Constitution of India as by law established and that I will, as in duty bound, honestly and faithfully serve in the Territorial Army of the Union of India and go wherever ordered by air, land or sea, and that I will observe and obey all commands of the President of the Union of India and the commands of any officer set over me even to the peril of my life.

FORM OF AFFIRMATION.

I do solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established and that I will, as in duty bound, honestly and faithfully serve in the Territorial Army of the Union of India and go wherever ordered by air, land or sea, and that I will observe and obey all commands of any officer set over me even to the peril of my life.

(2) The 'Note' shall be omitted.

H. M. PATEL, *Secretary.*

NOTIFICATION

No. L.D. 2218—Legis. 6-50-48, Bangalore, dated 26th October 1950.

Ordered that the accompanying Notification No. S.R.O. 738, dated 7th October 1950, of the Ministry of Agriculture under the Sugar and Gur Control Order, 1950, published in the *Gazette of India*, Part II, Section 3, dated the 7th October 1950, be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

B. S. PUTTASWAMY,

Legal Remembrancer and Secretary to Government, Law Department.

S. R. O. No. 738.—In exercise of the powers conferred by clause 11 of the Sugar and Gur Control Order, 1950, the Central Government is pleased to direct that the powers conferred on it by clause 4 (a) and (b) and sub-clause 4 (c) in relation to gur of the said Order shall be exercisable also by the Director of Food Supplies, Mysore.

[No. SV-105 (2)/50-51]

N. T. MONE, Jt. Secy.